

Amendment No. 1 to SB2796

Bell
Signature of Sponsor

AMEND Senate Bill No. 2796

House Bill No. 2329*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-602, is amended by deleting subsections (a)-(c) and substituting instead the following:

(a)

(1) It is an offense to:

(A) Knowingly, directly, or indirectly access, cause to be accessed, or attempt to access any telephone system, telecommunications facility, computer software, computer program, data, computer, computer system, computer network, or any part thereof, for the purpose of:

(i) Obtaining money, property, or services for oneself or another by means of false or fraudulent pretenses, representations, or promises;

(ii) Causing computer output to purposely be false for, but not limited to, the purpose of obtaining money, property, or services for oneself or another by means of false or fraudulent pretenses, representations, or promises; or

(iii) Affecting the creation or alteration of a financial instrument or of an electronic transfer of funds with the intent to disrupt, alter, misappropriate, or commit fraud;

(B) Intentionally and without authorization, directly or indirectly:

(i) Alter, damage, destroy, or attempt to damage or destroy, or cause the disruption to the proper operation of any computer, or perform an act which is responsible for the disruption of any computer, computer system, computer network, computer software, program, or data which resides or exists internal or external to a computer, computer system, or computer network; or

(ii) Make or cause to be made an unauthorized copy, in any form, including, but not limited to, any printed or electronic form of computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network; or

(C) Receive, conceal, use, or aid another in receiving, concealing, or using any proceeds resulting from a violation of this subsection (a), knowing the proceeds to be the result of such violation, or receive, conceal, use, or aid another in receiving, concealing, or using any books, records, documents, property, financial instrument, computer software, program, or other material, property, or objects, knowing that the item has been used in violating this subsection (a).

(2) A violation of this subsection (a) is subject to the penalties of § 39-14-

105.

(b)

(1) It is an offense to intentionally and without authorization, directly or indirectly:

(A) Access any computer, computer system, or computer network;

(B) Introduce or be responsible for the malicious input of any computer contaminant into any computer, computer system, or computer network;

(C) Access, cause to be accessed, or attempt to access any computer software, computer network, or any part thereof, for the purpose of maliciously gaining access to computer material or to tamper maliciously with computer security devices; or

(D) Possess a computer contaminant.

(2) A violation of this subsection (b) is a Class A misdemeanor.

(c) Operating a computer network in such a way as to allow anonymous access to that network constitutes implicit consent to access under this part.

SECTION 2. Tennessee Code Annotated, Section 39-14-603(e), is amended by deleting the language "section" and substituting instead the language "part".

SECTION 3. Tennessee Code Annotated, Section 39-14-606, is amended by deleting the section in its entirety.

SECTION 4. This act takes effect July 1, 2022, the public welfare requiring it, and applies to acts committed on or after that date.